

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
PUBLIC MEETING MINUTES
JANUARY 17, 2012
6:30 PM**

Council President Freeman called the meeting to order at 6:32PM

Flag Salute; Silent Prayer

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this public meeting in a notice sent to *The Record* and *The Ridgewood News*, filed with the Borough of Dumont, posted on the Dumont website and the official bulletin board.

Roll Call: Council members Brophy, Carrick, Freeman, Hayes (arrived at 6:44 pm), Stylianou, Zamechansky-present

Mayor Kelly-absent

Motion to open to the public: Councilman Carrick

Second: Councilman Stylianou

All in favor.

1. Bob Challener, 105 Magnolia Avenue, questioned the fact that two certain people are still involved in the Borough business. He said he is a Republican and has lived in the town for fifty-seven years; it is embarrassing for Dumont and these people should just go away. It should be addressed by the prosecutor's office. The lawsuit these two are pursuing is going to cost the taxpayers a lot of money.

Mr. Paster explained that it is beyond the scope of this Governing Body's authority to make those decisions. There was a consent entered that Mr. Eckel was not to have any position of honor, profit or trust.

Councilman Stylianou stated that in his opinion "what transpired did violate at least the spirit and intent of that consent order". The Councilman said that in his opinion it was not a coincidence that the lawsuit was filed three days after the election. He pointed out that it has been on the front page of the Record and the local section of the Record so most likely the prosecutor is aware of the situation. He said that he's heard from both Republicans and Democrats and they are disgusted and embarrassed. He explained that he had demanded that they dismiss the lawsuit within forty-eight hours at a meeting at which Eckel and Winant were present; not only did they not dismiss the lawsuit within forty-eight hours but they were served within forty-eight hours.

2. Robert MacDonald, 75 Lucille Avenue, used a broken piece of glass as a prop to demonstrate the state of the Governing Body at this time. The Mayor and Council are the only ones who can fix it.

Motion to close the public portion: Councilman Carrick

Second: Councilwoman Zamechansky

All in favor.

Motion to accept the agenda: Councilman Carrick

Second: Councilman Stylianou

All in favor.

Review of Consent Agenda Items: All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

RESOLUTIONS

#12-18 Bills List *

#12-19 Transfer Between Budget Appropriations *

#12-20 Approval of DHS Athletic Boosters for an Off-premise 50/50 Raffle, Drawing to be held June 4, 2012; ID#109-5-24823; RL#354 *

#12-21 Adoption of By-laws for the year 2012 * Councilman Carrick asked to have this resolution pulled from the consent agenda

#12-22 Approval of Petty Cash Account *

#12-23 Approval of Municipal Court Cash Account *

#12-24 Participation in State Cash Management Fund *

#12-25 Establishment of Delinquent Tax Rate/Penalties *

#12-26 Authorization of Investment of Idle Funds *

#12-27 Designation of Official Depositories *

#12-28 Fire Department Interborough Mutual Aid *

#12-29 Fire Department Mutual Aid with Oradell, New Milford and River Edge *

#12-30 Adoption of Bergen County Natural Hazard Mitigation Plan *

#12-31 Approval of 2012 Block Party and Street Closing Applications *

#12-32 Approval of Volunteer Tuition Credit Program *

#12-33 Designation of the Borough's Official Newspapers *

#12-34 Approval of Membership in the N.J. League of Municipalities *

#12-35 Resolution #225-Marianne Lane as Library Board Trustee Vacated *

#12-36 Approval of Frontier Room Request for Live Entertainment February 18, 2012 *

#12-37 Colin R. Hilcken-Accept Application as member of Dumont Fire Department Fire Auxiliary *

#12-38 Charles Anthony Cumella-Accept Application as Member of Dumont Fire Department Fire Auxiliary *

#12-39 Matt Giardiello-Accept Resignation from the Dumont Fire Department *

#12-40 Approval of DHS Music Boosters On-premise 50/50 Raffle to be held March 1, 2012 and May 9, 2012, RL#355, ID#109-5-36714 *

Motion to adopt the consent agenda minus Resolution #21: Councilman Carrick

Second: Councilman Stylianou

Motion to open to the public on the consent agenda items: Councilman Carrick

Second: Councilwoman Zamechansky

All in favor.

Motion to close: Councilwoman Zamechansky

Second: Councilman Carrick

All in favor.

Roll call vote: Councilmembers Brophy, Carrick, Hayes, Stylianou, Zamechansky, Council president Freeman-yes

Non-consent Agenda

#12-21 Adoption of By-laws for the year 2012

Motion to adopt: Councilwoman Zamechansky

Second: Councilman Stylianou

Councilman Hayes asked that "Mayor's Report" be added to Article IV, Section 7, #6.

Mr. Paster stated that this can either be submitted to the Ordinance Committee or the Mayor can appoint an ad hoc committee with the Council's consent and revisions to the bylaws can be considered; four votes are required for adoption. He advised that they wait for Mayor Kelly's input.

Councilman Brophy questioned Article III, Section 5-"No one shall have access to the Borough Clerk's offices or records without the presence of the Borough Clerk". He feels according to this the Mayor and Council should not have keys to the Borough Clerk's office. It was explained that this refers to the interior offices; not the outer office where the council members have their mailboxes. Council members Carrick and Stylianou agreed.

Roll call vote to adopt Resolution #21: Council members Brophy, Carrick, Hayes, Stylianou, Zamechansky, Council president Freeman-no

Since there were too many people present in the Executive Chambers at this time, the Fire Prevention officer advised that the meeting be moved to the courtroom.

Council president Freeman called for discussion of the appointments of the Borough professionals. Councilman Hayes stated that when he spoke to the Mayor, he understood him to say that they were going to meet next week again as a whole and discuss it then. Councilman Stylianou said that although it is on tonight's agenda, he agrees with Councilman Hayes that as a courtesy the Mayor should be present; therefore discussion should be tabled.

Motion to table the discussion: Councilman Hayes

Second: Councilman Stylianou

Councilman Stylianou said that there are appointments which were not included on the agenda for discussion and he feels that all the positions in which RFQ's were submitted should be included on the agenda for the next meeting.

Mr. Paster advised that it is the Mayor's position to set the agenda so the members of the Council can request that the items be added or four council members would have to advise the Borough Clerk to add them over the Mayor's objection.

Council president Freeman advised those present that Mayor Kelly was not present tonight due to an unexpected death in the family.

Roll call vote to table discussion: Council members Brophy, Carrick, Hayes, Stylianou, Zamechansky, Freeman-yes

Motion to open to the public: Councilman Carrick

Second: Councilwoman Zamechansky

All in favor.

Motion to close: Councilman Carrick

Second: Councilman Stylianou

All in favor.

Councilman Brophy asked for confirmation of January 24th as the next meeting.

Councilman Carrick stated that he is wasn't aware of the 24th meeting date and will be working and unable to attend. Those present were advised that January 24th is tentative.

Councilman Hayes asked whether the appointments must be made within thirty days.

Mr. Paster replied that they must wait at least thirty days after the Reorganization date.

Motion to adjourn: Councilman Stylianou
Second: Councilman Brophy
All in favor.

Meeting adjourned at 7:10PM

Minutes respectfully submitted by:

Susan Connelly, RMC
Municipal Clerk